

# **Campaign for Reader Privacy**

American Booksellers Association, American Library Association,  
Association of American Publishers, PEN American Center  
[www.readerprivacy.org](http://www.readerprivacy.org)

## **FOR IMMEDIATE RELEASE**

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## **CAMPAIGN QUESTIONS BENEFITS OF NEW PATRIOT ACT LEGISLATION FOR BOOKSTORES AND LIBRARIES, URGES DELAY OF VOTE**

**Washington, DC, Nov. 16, 2005**—A coalition of booksellers, librarians, writers, and publishers expressed disappointment today over the failure of a House-Senate conference committee to include previously approved, critical protections for bookstore and library records in the final version of legislation that reauthorizes the PATRIOT Act. The Campaign for Reader Privacy is urging senators and representatives to vote against the bill if it is brought to a vote tomorrow or Friday.

The Campaign for Reader Privacy has been seeking three major changes to Section 215 of the PATRIOT Act: a requirement that the FBI show that the individual whose records are being sought is suspected of involvement in terrorism or other criminal activity; that booksellers and librarians who receive PATRIOT Act orders be allowed to challenge their validity in court; and that the current permanent and generalized gag order that accompanies PATRIOT Act warrants be replaced by temporary orders in specific circumstances.

The conference report dropped a requirement of individualized suspicion that had been included in the Senate version of the legislation. The bill outlines a new procedure that would allow recipients of Section 215 orders to challenge them in the secret FISA court, but the exact mechanism for such an appeal remains unclear. The bill makes permanent many PATRIOT Act provisions and resets the sunset provision of Section 215 to expire in seven years—three years longer than the Senate recommended and the House approved in a motion to instruct the conferees.

“From what we have seen, there is simply not enough in the final bill to restore some basic First Amendment and due-process protections that were unnecessarily abridged in the hastily passed USA PATRIOT Act,” said Oren Teicher, Chief Operating Officer of the American Booksellers Association, speaking on behalf of the Campaign. “It will still be possible for the FBI to trawl through the bookstore and library records of ordinary readers. So it is unclear to us what exactly has been gained in terms of meaningful new protections.”

House of Representatives rules require that a conference report be published for three days before a final vote on the legislation, though House leaders can waive the rule and have announced they will do so in this case. Reports indicate a vote could come on the final PATRIOT Act reauthorization bill in the next two days. Book-community representatives believe that this timetable prevents legislators and the public from being able to assess whether the legislation

makes adequate improvements to Section 215, Section 505, and other provisions that made it possible for the FBI to monitor the reading and Internet habits of law-abiding U.S. citizens and residents.

“Clearly more time is required for our representatives and for us to study exactly how the legislation will work.” Teicher said. “We should not have rushed into the original PATRIOT Act legislation, and we should not rush into this renewal. The book community, the business community, and towns and cities across the country have been working for more three years to strengthen the PATRIOT Act by making sure it both targets terrorists and protects basic liberties. A three day pause before a final vote seems reasonable. Unless that happens —and until we’re satisfied the conference committee has restored the privacy protections for bookstore and library records—we are urging Congress to vote against the legislation.”

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